

Message Text

LIMITED OFFICIAL USE

PAGE 01 WARSAW 09365 261620Z
ACTION A-01

INFO OCT-01 EUR-12 ISO-00 SS-15 NSCE-00 OPR-02 SSO-00
CCO-00 SY-05 USSS-00 CPR-01 L-03 /040 W
-----013258 261624Z /40
O 261600Z DEC 77
FM AMEMBASSY WARSAW
TO SECSTATE WASHDC IMMEDIATE 2401

LIMITED OFFICIAL USE WARSAW 9365

FOR "A" - DAY MOUNT, AND L/M

E.O. 11652: N/A
TAGS: OVIP ASEC ACLM (CARTER, JIMMY)
SUBJ: PRESIDENTIAL VISIT: LIABILITY FOR DAMAGES CAUSED BY
PRESIDENTIAL VEHICLES

1. BEFORE AGREEING TO PERMIT USE OF USG-OWNED ARMORED LIMOUSINES
IN MOTORCADES DURING THE PRESIDENTIAL VISIT, POLISH SECURITY HAS
INSISTED THAT THE USG ASSUME LIABILITY FOR EVENTUAL DAMAGES
CAUSED BY THESE CARS.

2. THE U.S. SECRET SERVICE (USSS) WILL ASK THAT THIS CONDITION
BE DROPPED, SINCE NO SIMILAR CONDITION WAS IMPOSED ON THE USE OF
POLISH LIMOUSINES DURING GIEREK'S VISIT TO THE U.S.

3. ALTERNATIVELY, WE WILL SEEK TO SATISFY THE POLISH CONCERN
THROUGH THE PURCHASE OF LIABILITY INSURANCE FROM THE POLISH
INSURANCE COMPANY WARTA.

4. AS A THIRD, AND LEAST DESIRABLE, POSSIBILITY WE HAVE OBTAINED
FROM ONE OF THE EMBASSY'S LEGAL ADVISORS A DRAFT STATEMENT
ACCEPTING USG LIABILITY IN THE EVENT OF ACCIDENTS:

BEGIN TEXT: IN CONNECTION WITH THE VISIT OF THE PRESIDENT OF THE
LIMITED OFFICIAL USE

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UNITED STATES TO POLAND FROM DECEMBER 29 TO 31, 1977,
THE UNITED STATES GOVERNMENT INTENDS TO IMPORT TO POLAND VEHICLES
TO BE USED FOR LOCAL TRANSPORTATION OF THE PRESIDENT AND HIS
ASSISTANTS. SINCE THESE CARS ARE NORMALLY USED FOR OFFICIAL
MOTORCADES ONLY, AND ARE NOT INSURED AGAINST CIVIL RESPONSIBILITY
AFFECTING EVENTUAL TRAFFIC ACCIDENTS, THE EMBASSY OF THE UNITED
STATES IN WARSAW MAKES THE FOLLOWING DECLARATION:

(1) THE EMBASSY OF THE UNITED STATES OF AMERICA IN WARSAW WILL COVER ALL DAMAGES WHICH ARE CAUSED BY TRAFFIC ACCIDENTS INCURRED BY THE ABOVE-MENTIONED CARS ACCORDING TO POLISH LAW, SPECIFICALLY ARTICLE 436 OF THE POLISH CIVIL CODE.

(2) THE EXTENT OF THE DAMAGES WILL BE DEFINED ACCORDING TO POLISH RULES AND COURT PRACTICE ADOPTED IN SUCH CASES.

(3) THE EMBASSY OF THE UNITED STATES OF AMERICA IN WARSAW WILL HAVE THE RIGHT TO REVIEW CLAIMS CONCERNING EVENTUAL DAMAGES. IN THE CASE OF DISAGREEMENT AS TO PRINCIPLES OF THE CLAIM OR THE AMOUNT OF THE DAMAGES, THE DISPUTE WILL BE SETTLED BEFORE A POLISH COURT. END TEXT.

5. THE DRAFT STATEMENT HAS BEEN PASSED TO THE USSS IN WASHINGTON FOR REVIEW BY ITS LEGAL OFFICE. AS SUCH A STATEMENT BY THE EMBASSY AMOUNTS TO A LIMITED WAIVER OF DIPLOMATIC IMMUNITY, IT IS ALSO REFERRED HEREWITH TO THE DEPARTMENT FOR REVIEW, COORDINATION WITH USSS, AND APPROVAL AND/OR COMMENT.

6. WE REQUEST INSTRUCTIONS BY COB TUESDAY, DECEMBER 27, SINCE THE CARS WILL ARRIVE IN WARSAW ON WEDNESDAY, DECEMBER 28.
DAVIES

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
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Sent Date: 26-Dec-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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Disposition Remarks:
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Executive Order: N/A
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Film Number: D770481-0627
Format: TEL
From: WARSAW
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1977/newtext/t19771217/aaaaanzg.tel
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Litigation Codes:
Litigation History:
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Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Reference: n/a
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Review Exemptions: n/a
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